

RUSH MOORE LLP  
A Limited Liability Partnership

J. STEPHEN STREET 1573-0  
REGINAULD T. HARRIS 7516-0  
Pacific Guardian Center, Mauka Tower  
737 Bishop Street, Suite 2400  
Honolulu, Hawaii 96813  
Ph: (808) 521-0400  
FAX: (808) 521-0597  
e-mail: [jsstreet@rmhawaii.com](mailto:jsstreet@rmhawaii.com)  
[rharris@rmhawaii.com](mailto:rharris@rmhawaii.com)

Attorney for Plaintiff PACIFIC STOCK, INC.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

PACIFIC STOCK, INC.,	)	CIVIL NO. CV04-00725 JMS/LEK
	)	(Copyright Infringement)
Plaintiff,	)	
	)	PLAINTIFF PACIFIC STOCK,
vs.	)	INC.'S MOTION FOR SANCTIONS
	)	AGAINST DEFENDANTS SOLTUR,
SOLTUR, INC., a Hawaii	)	INC.; GIGI FIORENTINO,
corporation; GIGI FIORENTINO,	)	Individually; AND LUIS ZANOTTA,
individually; LUIS ZANOTTA,	)	Individually FOR FAILURE TO
individually,	)	RESPOND TO DISCOVERY;
	)	MEMORANDUM IN SUPPORT OF
Defendants.	)	MOTION; DECLARATION OF J.
	)	STEPHEN STREET (Containing
	)	Certificate of Compliance with Rule
	)	37 Fed. R. Civ. P. and LR 37.1 at ¶15);
	)	EXHIBITS "A"– "G"; ORDER TO
	)	SHOW CAUSE; ORDER
	)	GRANTING PLAINTIFF'S MOTION
	)	FOR SANCTIONS AGAINST

) DEFENDANTS SOLTUR, INC.;  
) GIGI FIORENTINO, Individually;  
) AND LUIS ZANOTTA, Individually  
) FOR FAILURE TO RESPOND TO  
) DISCOVERY; CERTIFICATE OF  
) SERVICE  
)  
)  
)

) Final Pre-Trial Conference:

) Date: February 9, 2006

) Time: 9:30 a.m.

) Judge: Hon. J. Michael Seabright  
)  
)

) TRIAL:

) Date: February 14, 2006

) Time: 9:00 a.m.

) Judge: J. Michael Seabright  
)  
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**PLAINTIFF PACIFIC STOCK, INC.'S MOTION FOR SANCTIONS  
AGAINST DEFENDANTS SOLTUR, INC.;  
GIGI FIORENTINO, Individually; AND LUIS ZANOTTA, Individually  
FOR FAILURE TO RESPOND TO DISCOVERY**

Pursuant to Rule 37 of the Federal Rules of Civil Procedure (Fed. R. Civ. P.), Plaintiff PACIFIC STOCK, INC. ("Plaintiff"), moves for sanctions against Defendants Soltur, Inc.; Gigi Fiorentino, Individually; and Luis Zanotta, Individually for Failure to Respond to Plaintiff's Discovery Requests.

Specifically, Plaintiff seeks an order from the Court establishing that individual Defendants Gigi Fiorentino and Luis Zanotta received direct financial

benefit from the copyright infringement conducted by Defendant Soltur, Inc. as a sanction imposed pursuant to Rule 37(b)(2)(A) Fed. R. Civ. P. because of Defendants' failure to respond to Plaintiff's discovery requests seeking information regarding the vicarious liability of individual Defendants Gigi Fiorentino and Luis Zanotta. Plaintiff also asks that it be awarded its attorney's fees and costs incurred in bringing this motion for sanctions pursuant to Rule 37(a)(4) Fed. R. Civ. P.

Plaintiff's counsel certifies that he has made a good faith effort to meet and confer with Defendants' counsel pursuant to Rule 37(a)(2) Fed. R. Civ. P. and Local Rule 37.1. However, Defendants' counsel's phone has been disconnected or is no longer in service, and he has not responded to correspondence. See, Declaration of J. Stephen Street at ¶ 15.

This Motion is based upon Rule 37 Fed. R. Civ. P., Local Rule 37.1, the pleadings, the record to date and the memorandum in support, the Declaration and exhibits attached hereto and made a part hereof, and such further matters as may be brought forth following an order by the Court directing Defendants to show cause as to why Plaintiff should not be granted the relief it seeks in this motion for sanctions for discovery abuses.

DATED: Honolulu, Hawaii, February 2, 2006.

*/s/ Reginauld T. Harris*

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J. STEPHEN STREET  
REGINAULD T. HARRIS  
Attorneys for Plaintiff  
PACIFIC STOCK, INC.